

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**

Case No. 2: 13-cv-00367-JPH

CHAD C. WILBOURN,

Plaintiff,

vs.

CAROLYN W. COLVIN, Acting  
Commissioner of Social Security,

Defendant.

**ORDER GRANTING STIPULATED  
MOTION FOR REMAND**

**BEFORE THE COURT** is a stipulated motion for remand pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 22. Attorney Dana Chris Madsen represents plaintiff (Wilbourn). Special Assistant United States Attorney Thomas M. Elsberry represents defendant (Commissioner). The parties consented to proceed before a magistrate judge. ECF No. 8. After review, the court **grants** the parties' motion for remand, **ECF No. 22**, and reverses and remands for further administrative proceedings.

On remand, the ALJ will conduct a de novo hearing, including:

1 (1) give further consideration to Plaintiff's medically determinable  
2 mental impairments at step two, and in doing so fully address the  
3 medical opinions in the record and, if necessary, consult a medical  
4 expert to determine the nature, severity and limiting effects (if any)  
5 of medically determinable impairments;

6 (2) further evaluate Plaintiff's maximum residual functional  
7 capacity in specific functional terms, with specific reference to the  
8 opinion evidence of record in support of the assessed limitations,  
9 and clearly articulate the weight accorded to such evidence; in so  
10 doing, the ALJ will further evaluate Plaintiff's subjective complaints  
11 under SSR 96-7p;

12 (3) reevaluate the step five findings and obtain supplemental  
13 vocational expert testimony to clarify the effect of the assessed  
14 limitations on the occupational base and

15 (4) consider the evidence submitted on appeal.  
16

17 **IT IS ORDERED:**

18 The parties' stipulated motion for remand pursuant to sentence four, **ECF No.**  
19 **22**, is **granted**.  
20

1 The Commissioner's decision is reversed and the case is remanded for further  
2 administrative proceedings.

3 The District Court Executive is directed to file this Order, provide copies to  
4 counsel, enter judgment in favor of plaintiff and **CLOSE** the file.

5 DATED this 5<sup>th</sup> day of September, 2014.

6 *S/ James P. Hutton*

7 JAMES P. HUTTON  
8 UNITED STATES MAGISTRATE JUDGE  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20